

AN ORDINANCE 101651

**AMENDING THE OFFICIAL ZONING MAP OF THE CITY
OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED
DEVELOPMENT CODE, SECTION 35-304, OF THE CITY
CODE OF SAN ANTONIO, TEXAS BY CHANGING THE
ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.**

* * * * *

WHEREAS, a public hearing was held regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of 5.38 acres out of NCB 34362 from "R-6" Residential Single-Family District to "C-2 NA" Commercial Nonalcoholic Sales District.

SECTION 2. A description of the property is attached as Exhibit "A" and made a part hereof and incorporated herein for all purposes.


SECTION 3. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

SECTION 4. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

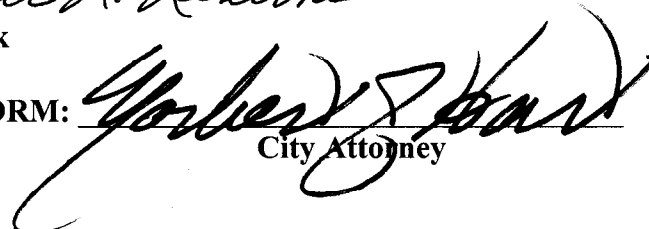
SECTION 5. This ordinance shall become effective November 13, 2005.

PASSED AND APPROVED this 3rd day of November, 2005.


M A Y O R
PHIL HARDBERGER

ATTEST: 
ASSISTANT City Clerk

APPROVED AS TO FORM:


City Attorney

Agenda Voting Results

Name: Z-1.

Date: 11/03/05

Time: 07:00:05 PM

Vote Type: Multiple selection

Description: ZONING CASE #Z2005069 (District 4): An Ordinance changing the zoning district boundary from "R-6" Residential Single Family District to "C-2NA" Commercial Nonalcoholic Sales District on 5.38 acres out of NCB 34362, South of the intersection of Potranco Road and Granite Cliff, as requested by Brown, P.C., Applicant, for Wildman Ranch, Inc., Owner. Staff has recommended denial as requested and approval of "MF-33", "C-1" or "O-1", and Zoning Commission has recommended approval of "C-2NA".

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10	Not present			
MAYOR PHIL HARDBERGER	MAYOR	Not present			

Z2005069



11003 Wye Drive, San Antonio, TX 78217

Field notes of a 5.38 acre tract of land situated in Bexar County, Texas out of the J. V. Dignowity Survey No. 260, County Block 4362, being that same tract called 5.3853 acres in Warranty Deed to Wildman Ranch, Inc. and recorded in Volume 5563, Page 1871 of the Official Public Records of Bexar County, Texas and being more particularly described by metes and bounds as follows: (Note: All iron pins set are 1/2" rebar with a yellow plastic cap stamped "Baker Surveying")

Beginning at a 1/2" iron pin with Brown Engineering Plastic Cap found in the south line of Potranco Road (F. M. 1957) for the northeast corner of this tract and being the northwest corner of Park Place Subdivision, Unit 1 recorded in Volume 9540, Page 60-62 of the Plat Records of Bexar County, Texas.

Thence S00° 01' 18" E, 867.00 feet with the east line of this tract and the west line of Park Place Subdivision to an iron pin set in the northwest line of a Drainage Easement recorded with said Park Place Subdivision for the southeast corner of this tract and being an interior corner of said Subdivision.

Tahence S 64° 03' 48" W, 278.12 feet with the southeast line of this tract and the northwest line of said Drainage Easement to an iron pin set in the east line of a 81.26 acre tract recorded in Volume 3727, Page 1135 of the Official Public Records of Bexar County, Texas for the southwest corner of this tract.

Thence N 00° 00' 45" W, 1004.55 feet with the west line of this tract and the east line of the 81.26 acre tract to a 1/2" iron pin found in the south line of Potranco Road for the northwest corner of this tract and the northeast corner of the 81.26 acre tract.

Thence in an easterly direction with the north line of this tract and the south line of Potranco Road, with the arc of a curve to the right having a radius of 3759.72 feet and a central angle of 03° 49' 06", a distance of 250.55 feet (Chord Bears: S 86° 21' 35" E, 250.50 feet) to the place of beginning and containing 5.38 acres of land according to a survey on the ground on September 6, 2001 by Baker Surveying Inc.

Job No. 01-159
File: jdraw 2001\Mr. W., Fireworks 01-159.doc
Accompanying Plat Prepared:

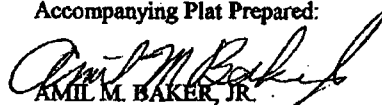

AMIL M. BAKER, JR.
Registered Professional Land
Surveyor # 1469



EXHIBIT A

To Ordinance No. _____
Passed and Approved on
November 3, 2005

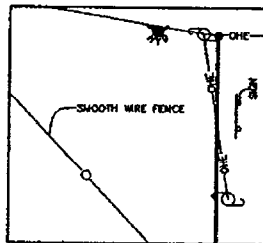
Baker Surveying 210-653-7270

Abijah Engineering 210-653-6611

LEGEND

- ✱ FIRE HYDRANT
- 1/2" IRON PIN FOUND (UNLESS OTHERWISE NOTED)
- ⊕ CELL TOWER
- ⊙ TELEPHONE MAST

C1
D=3'49'06"
R=3750.72'
L=250.55'
Chd Brg=N86°21'35"W
Chd=250.50'



DETAIL NOT TO SCALE

81.28 ACRES
JOHN L. SANTIKOS
VOLUME 3727, PAGE 1135

POTRANCO ROAD
(F.M. 1957)

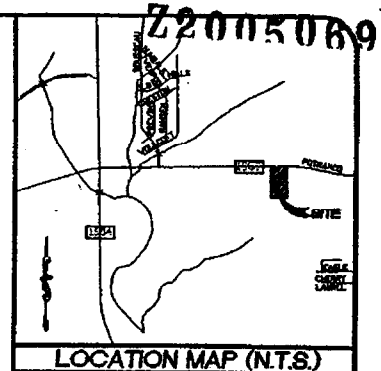
(P.O.B.)

CHAINLINK FENCE

5.38 ACRES

1/2" IRON PIN SET
554°03'48"W
278.12'

DRAINAGE EASEMENT
VOLUME 9540, PAGE 60-62 (PLAT)



LOCATION MAP (N.T.S.)

PARK PLACE SUBDIVISION, UNIT 1
VOLUME 9540, PAGE 60-62 (PLAT)

NOTES:

- 1) ALL SET IRON PINS ARE 1/2" DIAMETER REBAR WITH A YELLOW PLASTIC CAP STAMPED "BAKER SURVEYING".
- 2) NO CURRENT TITLE OPINION OR COMMITMENT FOR TITLE INSURANCE WAS FURNISHED AT THE TIME OF SURVEY; THEREFORE, NO CERTIFICATION IS MADE THAT ALL EASEMENTS AND DEDICATIONS OR OTHER ENCUMBRANCES ARE SHOWN ON THIS SURVEY.
- 3) CORRESPONDING METES AND BOUNDS DESCRIPTION PREPARED.
- 4) IMPROVEMENTS LOCATED AS SHOWN.

SURVEY PLAT OF:

A 5.38 ACRE TRACT OF LAND SITUATED IN BEXAR COUNTY, TEXAS OUT OF THE J. V. DIGNOWITY SURVEY NO. 260, COUNTY BLOCK 4362, BEING THAT SAME TRACT CALLED 5.3853 ACRES IN WARRANTY DEED TO WILDMAN RANCH, INC. AND RECORDED IN VOLUME 5563, PAGER 1871 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS.

BAKER
SURVEYING

A DIVISION OF THE ABIJAH GROUP

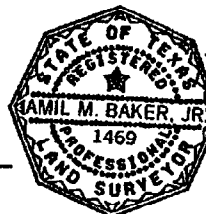
PH. (210) 653-7270

FAX. 653-2942

11003 WYE DRIVE

SAN ANTONIO, TEXAS 78217

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STATE OF TEXAS :
COUNTY OF BEXAR:

I, AMIL M. BAKER, JR., DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND BY PERSONS WORKING UNDER MY SUPERVISION.

Amil M. Baker, Jr.
AMIL M. BAKER, JR.
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1469

SURVEYED: SEPTEMBER 6, 2001

PROJECT NO.: 01-159

DWG No.: kDraw 2001\01-Mr. W Fireworks\01-159.dwg

SCALE: 1" = 200'

CASE NO: Z2005069

Staff and Zoning Commission Recommendation - City Council

City Council continuance from October 13, 2005

Date: November 03, 2005

Zoning Commission Meeting Date: June 07, 2005

Council District: 4

Ferguson Map: 612 C4

Applicant:

Brown, P. C.

Owner:

Wildman Ranch, Inc.

Zoning Request: From "R-6" Residential Single-Family District to "C-2 NA" Commercial Nonalcoholic Sales District

5.38 acres out of NCB 34362

Property Location:

Potranco Road and Granite Cliff

Proposal:

Office Business Park

Neighborhood Association:

Heritage Neighborhood Association (Within 200 feet)

Neighborhood Plan:

None

TIA Statement:

A Traffic Impact Analysis is required.

Staff Recommendation:

Denial as requested and approval of "MF-33, C-1" or "O-1". The property is vacant and located south west of Potranco Road and Clover Creek. The property to the west is zoned "C-2 C" for a Home Improvement Center. "MF-33 or O-1" will provide an appropriate transition from the more intense commercial zoning to the west. In order to provide sustainable development land uses should transition from more intense commercial uses to less intense single family uses.

Zoning Commission Recommendation:

Approval of C-2 NA

VOTE

FOR 8

AGAINST 0

ABSTAIN 0

RECUSAL 0

CASE MANAGER : Richard Ramirez 207-5018

Z2005069

ZONING CASE NO. Z2005069 – June 7, 2005

Applicant: Brown, P. C.

Zoning Request: "R-6" Residential Single Family District to "C-2" Commercial District.

Ken Brown, 112 E. Pecan, representing the owner, stated they are proposing to use the subject property as an office business park. He stated he has been in contact with Mrs. Buettner to further discuss their proposal. He stated they have prepared restrictive covenants eliminating roughly 15 different uses and providing setbacks and lighting.

FAVOR

Mary Lee Buettner, representing Heritage Neighborhood Association, stated their only concerns is the drainage issue being that this property lies within the flood plain. She further stated they are agreeable to a "C-2NA" zoning designation instead. She stated has met with Mr. Brown and they are in support of this request with the following restriction:

1. No sexually oriented businesses of any kind.
2. No manufactured houses of any kind.
3. No auto or vehicle sales of any kind.
4. No wireless communication transmission towers.
5. No mini-storages.
6. No gambling of any kind, including bingo halls.
7. No bars, clubs, dance halls or nightclubs.
8. No alcohol.
9. No junkyard.
10. No carwashes.
11. No tattoo parlors.
12. No palm reading.
13. No billiard halls.
14. Building will conform with UDC heights.
15. No manufacturing of anything.
16. No multi family housing of any kind.
17. No flashing signs of any kind.
18. 15 foot buffer with cedar fencing and outdoor lighting would be directed away from homes.

REBUTTAL

Ken Brown, 112 E. Pecan, representing the owner, stated he would like to amend his request to include the "NA" designation. He further stated he is in agreement with Mrs. Buettner's restrictions.

Z2005069

Staff stated there were 46 notices mailed out to the surrounding property owners, 8 returned in opposition and 1 returned in favor and no response from Heritage Neighborhood Association.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

COMMISSION ACTION

The motion was made by Commissioner Peel and seconded by Commissioner Sherrill to recommend approval of "C-2NA".

1. Property is located on 5.38 acres out of NCB 34362 at Potranco Road and Granite Cliff.
2. There were 46 notices mailed, 8 returned in opposition and 1 in favor.
3. Staff recommends denial as requested and approval of "MF-33", "C-1" or "O-1".

AYES: Martinez, Robbins, Dutmer, Dixon, Sherrill, McAden, Stribling, Peel

NAYS: None

THE MOTION CARRIED

RESULTS OF COUNCIL HEARING October 20, 2005

City Council granted a continuance until November 3, 2005

RESULTS OF NOTICE FOR COUNCIL HEARING

To be provided at Council hearing.

